

MINUTES

September 14, 2010

The State Board of Registration for Professional Engineers and Land Surveyors met on September 14, 2010, in Conference Room 102 at the office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

BOARD MEMBERS PRESENT

Elmo A. Richardson, Jr., PE/LS Chairman
Mark E. Chastain, LS, Vice-Chairman
William W. Dean, PE
Stephen R. Richards, PE
Michael S. Fletcher, PE
James W. Butler, LS
Danny Bennett, PE
Lanny Thomas, PE

BOARD MEMBERS ABSENT

E. Scott Evans, Public Member

STAFF PRESENT

J. Darren Mickler – Executive Director
Julie Busbee – Licensing Supervisor
Kimberly Fransioli – Board Support Specialist
Annette Wimberly – Complaint Compliance Analyst

ATTORNEY GENERAL REPRESENTATIVE

Amelia Baker, Senior Assistant Attorney General

1.0 Call to order

At 9:32 am, Chairman Richardson called the meeting to order.

2.0 Public Hearing to Adopt Board Rule 180-4-.02

There was a Public Hearing held regarding changes that were made to Board Rule 180-4-.02. A Notice of Intent to Adopt Proposed Amendments has been posted for 30 days and there were no comments from the public. Mr. Chastain moved to accept these changes. Mr. Thomas seconded this motion. The motion carried unanimously. The public hearing was adjourned at 9:36 a.m.

3.0 Adopt Agenda

Chairman Richardson asked for any additions or deletions to the proposed agenda. Mr. Chastain moved to adopt the agenda as presented. Mr. Thomas seconded. The motion carried unanimously.

4.0 Approval of Minutes

Chairman Richardson presented a draft of the August 10, 2010 minutes and asked for any additions or deletions. Mr. Chastain moved to approve the minutes. Mr. Richards seconded the motion. The motion carried unanimously.

5.0 Professional Societies and Guests

- Phillip Brown, SAMSOG

6.0 Executive Directors Report

Mr. Mickler advised that applications are completed and have been sent in to NCEES.

7.0 Old Business

7.1 Board Rule 180-12-.02 – Sealing of Documents

Mr. Dean made a motion to post the following changes to Board Rule 180-12-.02 Sealing of documents. Mr. Chastain seconded this motion. The motion carried unanimously.

- 1) The term, “documents,” as used herein shall mean engineering and/or land surveying work issued in the form of plans, drawings, maps, surveys, reports, specifications, design information, and calculations, including such work issued in digital form. This Rule shall not apply to recordable property plats governed under O.C.G.A. 15-6-67(b)(2)(E).
- 2) The term “issued” as used herein shall mean documents in the final form which bear the seal and signature of the registrant.
- 3) The registrant shall seal and sign ~~(with signature across the seal)~~ all original final documents which are issued to a client or any public agency. The sealing of documents by the registrant shall certify that the work was performed by the registrant or under the direct supervisory control of the registrant on a daily basis. For engineering documents, the date of signature shall be placed immediately under the seal and signature.
- 4) No registrant shall issue an incomplete, preliminary, in-progress, or for-review document or any type unless such document displays the date of issue and a notation in bold lettering, such as “PRELIMINARY,” “NOT FOR

CONSTRUCTION," NOT FOR RECORDING PURPOSES," or "FOR REVIEW ONLY," which clearly identifies the purpose for which the document is issued.

5) Seals, signatures, dates, and/or other notations required by this Rule shall be placed on original documents such that the seal, signature, date and/or notations, will be reproduced when copies are made. ~~All dates and signatures shall be hand written. O.C.G.A. 10-12-4 does not apply.~~

6) Documents containing more than one sheet shall be sealed and signed on the first or title page by all registrants responsible for the work therein. Each drawing sheet, whether bound or unbound, shall be sealed and signed by the registrant(s) responsible for the work on that sheet. If a document is sealed and signed by more than one registrant, the portion of the work for which each registrant is responsible shall be clearly noted.

7) Each document that is sealed and signed by a registrant shall contain the name, address, and contact information of the firm or sole practitioner certifying the work.

8) ~~Documents that are electronically transmitted shall have the computer-generated seal removed from the original file. All electronically transmitted documents shall have displayed, in lieu of the seal, signature and date, the following statements, "The original of this document was sealed and signed by {registrant's printed name and registration number on {date of signature}." And in bold lettering, "THIS REPRODUCTION IS NOT A CERTIFIED DOCUMENT."~~ Documents as defined in Paragraph (1) that are transmitted electronically beyond the direct control of the licensee shall have the computer-generated seal removed from the original file, unless signed with an electronic signature as defined in Paragraph (9) of this Rule. After removal of the seal the electronic media shall have the following inserted in lieu of the signature and date: "This document originally issued and sealed by (name of sealer), (license number), on (Date of sealing). This medium shall not be considered a certified document." Hardcopy documents containing the original seal, signature and date of the licensee may be duplicated by photocopy or electronic scanning processes and distributed either in hardcopy or electronic medium. The scanned digital files of certified documents are not subject to the requirements of this Paragraph. The electronic transmission beyond the direct control of the licensee of CAD, vector or other files subject to easy editing are subject to the requirements of this paragraph. Easy editing is based on the file consisting of separate elements that can be individually modified or deleted. 9) Documents to be electronically transmitted beyond the direct control of the licensee that are signed using an electronic signature shall contain the authentication procedure in a secure mode and a list of the hardware, software and parameters used to prepare the document(s). Secure mode means that the authentication procedure has protective measures to prevent alteration or overriding of the authentication procedure. The term "electronic signature" shall be an electronic authentication process that is attached to or logically associated with an electronic document. The electronic signature shall be:

- a) Unique to the licensee using it;
- b) Capable of verification;
- c) Under the sole control of the licensee; and

d) Linked to a document in such a manner that the electronic signature is invalidated if any data in the document is changed.

O.C.G.A. §§ 43-15-4(a), 43-15-6(a), 43-15-18, and 43-15-22.

7.2 Discussion of Board Rule 180-2-.04 – Examinations

There was a discussion regarding changes that need to be made to Board Rule 180-2-.04 – Examinations. Board Member Michael Fletcher will draft some revisions so the Board can review.

8.0 Executive Session

At 10:08 am, Mr. Dean made a motion to enter into Executive Session in accordance with O.C.G.A. 43-1-2(k) and 43-1-19(h) to deliberate on applications and investigative matters and to receive an investigative report. Mr. Richards seconded the motion. Voting in favor of the motion were those members present who included Board Members Chairman Richardson, Chastain, Dean, Butler, Thomas, Bennett, Fletcher, and Richards.

9.0 Open Session

The Board reconvened at 12:23 pm with the following Board members present – Chairman Richardson, Chastain, Dean, Butler, Thomas, Bennett, Fletcher, and Richards.

9.1 Investigations and Complaints

Mr. Chastain moved to accept the following recommendations regarding investigative cases:

PELS110009 – This case involves allegations of substandard work. The Board made a recommendation to send to Legal for a Consent Order assessing a \$1500.00 fine.

PELS090038 – This case involves allegations of unlicensed practice. The Board made a recommendation to close with a letter of concern.

Fred Crowe, Lilburn – This case involves allegations of unlicensed practice. The Board made a recommendation to accept the Cease and Desist Order and close the case.

PELS080036 – This case involves allegations of unlicensed practice. The Board made a recommendation to table until the November meeting.

PELS110006 – This case involves allegations of assisting unlicensed practice. The Board made a recommendation to close the case.

PELS110007 – This case involves allegations of fraud/misrepresentation. The Board made a recommendation to table until the November meeting.

PELS110011 – This case involves allegations of substandard work. The Board made a recommendation to table until the November meeting.

PELS110019 – This case involves allegations of actions by another board or agency. The Board made a recommendation to close the case with a letter of concern.

PELS110020 – This case involves allegations of actions by another board or agency. The Board made a recommendation to close the case with a letter of concern.

PELS100019 – This case involves allegations of unlicensed practice. The Board made a recommendation to send to Office of Investigations to serve a Certificate of Authority assessing a \$500.00 fine.

PELS110023 – This case involves allegations of unethical behavior. The Board made a recommendation to table until the November meeting.

PELS080082 – This case involves allegations of substandard practice. The Board made a recommendation to table until the November meeting.

Ronald Ruger Jr., Macon – This case involves allegations of unlicensed practice. The Board made a recommendation to accept the Cease and Desist Order and close the case.

PELS100046 – This case involves allegations of fraud and misrepresentation. The Board made a recommendation to close the case.

PELS110002 – This case involves allegations of substandard work. The Board made a recommendation to close the case.

PELS110004 – This case involves allegations of substandard work. The Board made a recommendation to table pending receipt of corrected work.

PELS090012 – This case involves allegations of substandard work. The Board made a recommendation to table until the November meeting.

PELS110012 - This case involves allegations of fraud and misrepresentation. The Board made a recommendation to table until the November meeting.

PELS110001 – This case involves allegations of actions by another board or agency. The Board made a recommendation to send to Legal for a Consent Order placing the license on probation for 12 months.

PELS110003 – This case involves allegations of actions by another board or agency. The Board made a recommendation to close with no action.

PELS110005 – This case involves allegations of actions by another board or agency. The Board made a recommendation to send to Legal for a Consent Order placing the license on probation for 12 months.

PELS110008 – This case involves allegations of actions by another board or agency. The Board made a recommendation to send to Legal for a Consent Order placing the license on probation for 12 months.

PELS110010 – This case involves allegations of actions by another board or agency. The Board made a recommendation to send to Legal for a Consent Order placing the license on probation for 12 months.

PELS100040(Respondent 1) – This case involves allegations of fraud and misrepresentation. The Board made a recommendation to send to Legal for a Cease and Desist Order assessing a \$1000.00 fine.

PELS100040(Respondent 2) – This case involves allegations of fraud and misrepresentation. The Board made a recommendation to send to Legal for a Consent Order assessing a \$2000.00 fine for a violation of a Board Rule.

PELS080018 – This case involves allegations of unlicensed practice. The Board made a recommendation to close the case.

Michael Mark, Suwanee – This case involves allegations of unlicensed practice. The Board made a recommendation to accept the Cease and Desist Order and close the case.

PELS110024 – This case involves allegations of practicing on an expired license. The Board made a recommendation to send to Legal for a Consent Order for reinstatement and assessing a \$2000.00 fine, public reprimand, and \$1000.00 reinstatement fee.

PELS080097 – This case involves allegations of unlicensed practice. The Board made a recommendation to table pending additional documents.

PELS090036 – This case involves allegations of unlicensed practice. The Board made a recommendation to table until the November meeting.

Corey Yarbrough d/b/a Tucker's Construction Surveying Inc, Pembroke – This case involves allegations of unlicensed practice. The Board made a recommendation to accept the Cease and Desist Order and close the case.

PELS090018 – This case involves allegations of substandard work. The Board made a recommendation to table pending receipt of additional documents.

Richard Powell, Pelham – This case involves allegations of assisting unlicensed practice. The Board made a recommendation to accept the Consent Order placing the PE license on probation for 12 months and assessing a \$1000.00 fine and close the case.

Mr. Butler seconded. The motion carried unanimously.

9.2 Applications

Reinstatements

Mr. Fletcher made a motion to approve the following reinstatements of licensure:

- Badwi Khouri
- Richard Marchant
- Andrew Marlin (with Consent Order)
- Brian North
- Sam Sebaali

Mr. Richards seconded the motion. The motion carried unanimously.

List of Applicants licensed since last meeting:

Professional Engineers:

PE035280	Fritz, Wolfgang Ulrich
PE035281	Bussell, Dennis Dale
PE035282	Canimore, Brett
PE035283	Kalhoefer, Craig W
PE035284	Glenn, John Stevens
PE035285	Courson, Robert W, III
PE035286	Brown, Albert S, Jr
PE035287	Kronenbitter, Steven P
PE035288	Lewis, Aaron R
PE035289	Hilton, Brian David
PE035290	Hupko, Michael Belton, Jr
PE035291	Akens, George W
PE035292	Weber, Kenton C
PE035293	Taipalus, Thomas W
PE035294	Repke, Scott Donald
PE035295	Hardert, Mitchell T
PE035296	Breetz, Gregory
PE035297	Hummel, Brian Anthony
PE035298	McGehee, C W
PE035299	Helfrich, Curtis Raymond
PE035300	Albertson, J Shane
PE035301	Bailey, Wilson Jesse
PE035302	Rewitzer, David Allen
PE035303	Naumann, Hans Erich, Jr
PE035304	Southerland, Duane Ray
PE035305	Sykes, Robert Loren
PE035306	Freeman, Frank A
PE035307	Thompson, Robert
PE035308	Burton, Matthew Robert
PE035309	Russeva, Diyana
PE035310	Garcia, Jayme Toledo
PE035311	Malguarnera, Salvatore C
PE035312	Harris, Randall Scott
PE035313	Hamme, Ronald Thomas
PE035314	Mistry, Gautam Jayantilal
PE035315	Stafford, William L.S.
PE035316	Abebe, Kidane H

PE035317	Bentley, Walter John
PE035318	Dulay, Marcel Peter
PE035319	Sutton, James E
PE035320	Gaskin, Joseph D
PE035321	Granger, Donald Hugh
PE035322	Comer, William T
PE035323	Williams, Bryan J
PE035324	Altman, Denis J
PE035325	French, Adam Clayton
PE035326	Markham, Michael A
PE035327	Eschuk, John George
PE035328	Williams, Robert P
PE035329	Cole, Robert D, III
PE035330	Wever, Michael C
PE035331	Kadlec, Terence Donald
PE035332	Wright, Jonathan L
PE035333	Landenwich, Krista Jones
PE035334	Dickson, Kevin H
PE035335	Fligor, Pamela S
PE035336	Kack, Robert Joe
PE035337	Fortney, Patrick J
PE035338	Ghumrawi, Fadi Khaled
PE035339	Charles, James Keith
PE035340	Bolger, Erika L
PE035341	Baker, Erik Conrad
PE035342	Morgan, Gregory Paul
PE035343	Hires, Michael Duncan
PE035344	Cartwright, Gary Robert
PE035345	Barde, Amit Dilip
PE035346	Danilson, John T, Jr
PE035347	Wehunt, John Wiatt
PE035348	McClellan, Jim Alan
PE035349	Smith, Steven John
PE035350	Subramanian, Chella
PE035351	Puri, Sunil
PE035352	Valko, George B

Engineer-In-Training:

EIT024571	Sisk, Cason Daniel
EIT024572	Merali, Aaisha
EIT024573	Bromberek, Lawrence Paul
EIT024574	Dempsey, Richard David
EIT024575	Buckley, Shawn Thomas

EIT024576	Estrada, Philip Nathan
EIT024577	O'Daniels, Jason Michael
EIT024578	Kyzar, Brandon Jacob
EIT024579	Whitfield, Michael Chase
EIT024580	Skawski, Glenn Matthew
EIT024581	Spitzmiller, Melissa Rae
EIT024582	Cadic, Emily Kathleen
EIT024583	Duvvury, Rolan Shawn
EIT024584	Telli, Carmelina M
EIT024585	Willoughby, Clay Reed
EIT024586	Watzman, Justin Samuel
EIT024587	Putz, Steven Aaron
EIT024588	Reynolds, Joshua Clinton
EIT024589	Marshall, William Alwyn
EIT024590	Hendrian, Katie A
EIT024591	Haxton, Alisha Elizabeth
EIT024592	Macon, George Alvin
EIT024593	George Perez, Carlos Alfredo
EIT024594	Miller, Kyle Austin
EIT024595	Mayer, Kevin Daniel
EIT024596	Kinsey, Benjamin Donald
EIT024597	Reaves, Justin Michael
EIT024598	Gantt, Jeffery Clinton
EIT024599	Parker, Micque Ashley
EIT024600	Khan, Bilal Muahid
EIT024601	Jones, Joel Michael
EIT024602	Pittman, David Andrew
EIT024603	Reich, Jessica Elaina
EIT024604	Bui, Alexander Ahn Toan
EIT024605	Park, Katherine Yujin
EIT024606	Hosie, David Bartlett, III
EIT024607	Crnkovich, Daniel Thomas
EIT024608	Fowler, Victoria Lynn
EIT024609	Talbott, Amanda Kristine
EIT024610	Johnson, David Wayne
EIT024611	Edgington, Brandon Lee
EIT024612	Nguyen, Trai Minh

Professional Engineer Firms:

PEF005869	Baran USA, Inc.
PEF005870	Early Engineering Consultants
PEF005871	Strategic Energy Solutions, Inc.
PEF005872	Texas Design Interests, LLC
PEF005873	Westinghouse Electric Company LLC
PEF005874	CDI-Infrastructure, LLC
PEF005875	H+K Engineering Group, LLC
PEF005876	Varo Engineers, Inc.
PEF005877	McLaughlin Water Engineers, Ltd.
PEF005878	GPM Engineering

PEF005879 Opus AE Group, Inc.
PEF005880 Lee Technologies Services, Inc.
PEF005881 Dilling Group, Inc.
PEF005882 The Protection Engineering Group, Inc.
PEF005883 Comprehensive Engineering Services, Inc.
PEF005884 Energy Engineers Inc.
PEF005885 Structural Evolution LLC
PEF005886 Architectural Engineering & Structure, P.C.

Land Surveyors:

LS003230 Garmon, Anthony P
LS003231 Rolader, W Jonathan
LS003232 Hutcheson, David Wayne

Land Surveyor-In-Training:

None

Land Surveyor Firms:

LSF001078 Harrell & Associates, LLC
LSF001079 Jordan-Parker Land Surveying, L.L.C.
LSF001080 M. C. Pace Land Surveying, P.C.
LSF001081 Geo Eagle Surveying & Mapping
LSF001082 M A Engineering Consultants, Inc.

Adjournment

There being no further business, at 12:26 p.m., Chairman Richardson requested a motion to adjourn. Mr. Chastain moved to adjourn. Mr. Butler seconded. The motion carried unanimously.

Recorded By Board Secretary

Executive Director

Board Chairman

These minutes were approved at the November 9, 2010 Board meeting.